



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, May 25, 2005

2005-0288 – Sunnyvale Healthcare Center [Applicant] Diversified Convalescent Hospitals Inc. [Owner]: Application for a Use Permit on a 1.9-acre site to allow clinical training use at an existing Nursing Home. The property is located at **1291 South Bernardo Avenue** (near Yorktown Drive) in a P-F (Public Facility) Zoning District. (APN: 202-37-030)

In attendance: Herminia and John Chavez, Applicant; Dale Williams, Owner; Tom Kempe, Neighbor; Donald Hobbs, Neighbor; John Finney, Neighbor; Jackie Mathes, Neighbor; Trudi Ryan, Administrative Hearing Officer; Kelly Diekmann, Project Planner; Luis Uribe, Recording Secretary.

Ms. Trudi Ryan, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Trudi Ryan announced the subject application.

Kelly Diekmann, Project Planner, stated that the project proposes on-site clinical training for nursing students in multiple shifts at an existing convalescent home. The training does not include on-site classroom instruction. The application for a Use Permit application was filed after complaints of parking problems from residential neighbors were made with the Neighborhood Preservation Department. Mr. Diekmann stated that he has received additional correspondence that was not included in the staff reports. The general concerns are Parking and pedestrian traffic. Staff recommends no more than 12 students per day.

Ms. Ryan asked staff questions about the convalescent hospital operations and the arrival times of the nursing students.

Ms. Ryan opened the public hearing.

Herminia Chavez, Applicant, confirmed she had received and reviewed the staff report. She started this program to allow students from West Med Nursing Program the opportunity to gain some clinical experience. The classes are not ongoing month to month type classes. The classes take place about twice a year.

In response to questions from Ms. Ryan, Ms. Chavez responded that: the minimum staffing requirement is 3.2 hours per patient per day, nursing staff only; the non nursing staff includes dietary, housekeeping, laundry, medical record, social services, activities and administration support staff, there are about 25 registered nurses on staff; they are currently staffed above the minimum level required by the state; classes are not being held at the facility. The applicant stated that she currently allows 12 students at the facility at a time.

Dale Williams, Owner, stated that there is a high demand for nursing assistance. The students mostly shadow other staff. With the presence of the instructor they may be able to do some minimal hands on work.

Tom Kempe, Neighbor, stated that he submitted letters and documents regarding this issue. He is against the approval of the application and feels that the facility does not have the adequate resources to support the amount of students that will be arriving at the site. The parking situation on the public street has hindered trash pick up and street sweeping. He stated that the students would hang out on/around their property during their lunch breaks. Denée Evans (Senior Neighborhood Preservation Specialist) from the Neighborhood Preservation Division informed the facility about the complaints. Mr. Kempe mentioned that the neighbors received a letter from the business apologizing for the inconvenience of parking but told them that it is a first come first serve bases when it comes to public parking.

Don Hobbs, Neighbor, had questions in regards to the wording in the staff report for example “the staff recommends” instead of “enforces” employees to park in the parking lot. Mr. Hobbs stated that there is an overlap in shifts for 30 minutes. He stated that he is not against approval of the permit as long as a mutual agreement can be reached to resolve the parking issue.

John Finney, Neighbor, mentioned that the letter they received from the facility stated that the employees have a right to park on public streets and they did not mention anything about trying to resolve the situation. Mr. Finney has no objections to the convalescent hospital but he does have objections about the traffic it causes.

Jackie Mathes, Neighbor, stated that about a year and a half ago the traffic problem has really gone up. She mentions that the problem is not a volume issue it is a traffic issue. She thinks that the traffic concerns are legitimate and wants an absolute number on classes and students. Ms. Mathes also stated that there is a blind corner which causes safety issues for entering or exiting the property. She explained the visibility issue and an accident and the red zone that was put into place.

Herminia Chavez, Applicant, stated that the neighbors do their part to cause traffic issues by leaving garbage bins on the street. West Med Nursing Program has an arrangement to have classes that run 4-6 weeks from 3p.m. to 9p.m. 4 days a week. Ms. Ryan discussed with Ms. Chavez in detail, the number of hours students would be on the site. She discussed potential start and learning times for students.

Ms. Ryan closed the public hearing.

Ms. Ryan explained that she wanted to explore with staff whether conditions of approval could be developed that would establish good neighbor practices and clarify the total number of hours of instruction allowed in a year. She took this application under advisement until 12:00 noon Wednesday June 1, 2005.

Ms. Ryan stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 3:00p.m.

Minutes approved by:

Trudi Ryan, Planning Officer